

MICHELE BECKWITH
Acting United States Attorney
MATHEW W. PILE, WSBA 32245
Associate General Counsel
Office of Program Litigation, Office 7
MICHELLE A. PAVELEK, CSBN 300642
Special Assistant United States Attorney
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235
Telephone: (510) 970-4862
Facsimile: (415) 744-0134
Michelle.A.Pavelek@ssa.gov
Attorneys for Defendant

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

PAUL CRUZ,) Case No.: 1:24-cv-00717-SKO
)
) STIPULATION AND UNOPPOSED
) MOTION FOR VOLUNTARY REMAND
Plaintiff,) PURSUANT TO SENTENCE FOUR OF 42
) U.S.C. § 405(g); ORDER
)
v.)
) (Doc. 18)
COMMISSIONER OF SOCIAL SECURITY,)
)
)
Defendant.)
)
)

IT IS HEREBY STIPULATED, by and between the parties, through their undersigned attorneys, and with the approval of the Court, that the Commissioner of Social Security has agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The purpose of the remand is to offer Plaintiff a new decision.

On remand, the Commissioner will develop the record as necessary, offer Plaintiff another hearing, proceed through the steps of the sequential evaluation process as warranted,

1 and issue a new decision. The parties further request that the Clerk of the Court be directed to
2 enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision
3 of the Commissioner.

4 Respectfully submitted,

5 Dated: February 3, 2025

PENA AND BROMBERG, PC

6 s/ Jonathan Omar Pena*

JONATHAN OMAR PENA

7 Attorney for Plaintiff

(*as authorized via e-mail)

8 Dated: February 3, 2025

MICHELE BECKWITH

9 Acting United States Attorney

10 MATHEW W. PILE

Associate General Counsel

11 Office Of Program Litigation, Office 7

12 s/ Michelle A. Pavelek

MICHELLE A. PAVELEK

13 Special Assistant United States Attorney

14 Attorney for Defendant

ORDER

Based upon the parties' Stipulation and Unopposed Motion to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand") (Doc. 18), and for cause shown,

IT IS HEREBY ORDERED that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand, and judgment shall be entered in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

The Clerk of Court shall enter a final judgment in favor of Plaintiff, and against Defendant, vacating and reversing the final decision of the Acting Commissioner and shall thereafter close this case.

IT IS SO ORDERED.

Dated: **February 3, 2025**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE